

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA, §  
*Plaintiff,* §  
§  
v. § CIVIL ACTION NO. 7:20-cv-00357  
§  
11.406 ACRES OF LAND, MORE OR LESS, §  
SITUATE IN STARR COUNTY, STATE OF §  
TEXAS, FELIX LUERA RANCH, LTD, *et* §  
*al.,* §  
*Defendants.* §

**COMPLAINT IN CONDEMNATION**

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1338.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule "A."

4. The public purpose for which said interest in property is taken is set forth in Schedule "B."

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules "C" and "D."

6. The interest being acquired in the property described in Schedules "C" and "D" is set forth in Schedule "E."

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule "F."

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule "G."

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule "E" of the property described in Schedules "C" and "D" be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

**RYAN K. PATRICK**  
United States Attorney  
Southern District of Texas

By: s/Baltazar Salazar

**Baltazar Salazar**  
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Attorney-in-Charge for Plaintiff  
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# **SCHEDULE A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

# **SCHEDULE B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# SCHEDULE C

## **SCHEDULE C**

### **LEGAL DESCRIPTION**

Starr County, Texas

Tract: RGV-RGC-1015, RGV-RGC-1016, and RGV-RGC-1018

Owner: Felix Luera Ranch, LTD. *et al.*

Acres: 11.406

#### **Tract: RGV-RGC-1015**

**BEING** a 1.154 acre tract (50,289 square feet) parcel of land, more or less, being out of a called 73.50 acre tract (First Tract), recorded in Volume 908, Page 370, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract being all of Share No. 7-A, Abstract 326, Porcion 59, Ancient Jurisdiction of Mier, Mexico said 1.154 acre (50,289 square feet) parcel of land being more particularly described as follows;

**BEGINNING** at the northwest corner of said Felix Luera Ranch, LTD. (First Tract) tract and the southwest corner of a called 3.429 acre tract, recorded in Volume 892, Page 629, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Yolanda L. Barrerra, Araceli L. Perez & Hermelinda L. Gonzalez, being a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-1" for the northeast corner of the herein described proposed acquisition tract, said point being on the east line of a called 197.20 acre tract, recorded in Volume 771, Page 781, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Servando Luera, said point having a coordinate of N=16719893.938, E=774616.632, said point also being S 26°38'30" W, a distance of 946.00 feet from United States Corps of Engineers Control Point No. S142;

**THENCE:** S 35°14'13" E, departing the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract and along the north line of said Felix Luera Ranch, LTD. (First Tract) tract and the south line of said Yolanda L. Barrerra, Araceli L. Perez & Hermelinda L. Gonzalez tract, passing at 8.55 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1016-2" for the western most corner of proposed acquisition tract "RGV-RGC-1016", in total a distance of 373.90 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-2" for the southeast corner of the herein described proposed acquisition tract;

**THENCE:** N 68°25'38" W, departing the north line of said Felix Luera Ranch, LTD. (First Tract) tract and over and across said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 563.13 feet to a set 5/8" rebar with a "B&F Engineering,

**SCHEDULE C (Cont.)**

Inc.” aluminum cap stamped “RGV-RGC-1013-1=RGV-RGC-1015-3” for the southwest corner of the herein described proposed acquisition tract, said point being on the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract;

**THENCE:** N 54°31'03" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 79.24 feet to an angle point designated “RGV-RGC-1013-6=RGV-RGC-1015-4;

**THENCE:** S 35°41'08" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, a distance of 98.59 feet to an angle point designated “RGV-RGC-1013-5=RGV-RGC-1015-5”;

**THENCE:** N 54°32'20" E, along the east line of said Servando Luera tract and the west line of said Felix Luera Ranch, LTD. (First Tract) tract, passing at 222.68 feet a set 5/8" rebar with a “B&F Engineering, Inc.” aluminum cap stamped “RGVRGC-1013-4” for the northeast corner of proposed acquisition tract “RGV-RGC-1013”, in total a distance of 228.25 feet to the **POINT OF BEGINNING** and containing 1.154 acres (50,289 square feet) of land, more or less.

**SCHEDULE C**

**LEGAL DESCRIPTION**

Starr County, Texas

**Tract: RGV-RGC-1016**

**BEING** a 1.315 acre tract (57,276 square feet) parcel of land, more or less, being out of a called 10.2861 acre tract, recorded in Volume 908, Page 372, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract being a part of Share 10 of the partition of Porcion 59, Ancient Jurisdiction of Mier, Mexico, said 1.315 acre (57,276 square feet) parcel of land being more particularly described as follows;

**BEGINNING:** at a 1/2" rebar, being the southeast corner of said Felix Luera Ranch, LTD. 10.2861 acre tract, the southwest corner of a called 12.5 acre tract, recorded in Volume 909, Page 534, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., a called 16.67 acre tract, recorded in Volume 1398, Page 411, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to the known and unknown heirs of Higinio Rodriguez and a called 16.67 acre tract, recorded in Volume 1476, Page 836, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Argus Resources, Inc., et al, said point being on the north line of a called 73.50 acre tract (First Tract), recorded in Volume 908, Page 370, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said point having a coordinate of N=16719542.454, E=774864.915, said point also being S 08°21'36" W, a distance of 1209.91 feet from United States Corps of Engineers Control Point No. S142;

**THENCE:** N 35°14'13" W, along the south line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the north line of said Felix Luera Ranch, LTD. (First Tract) tract, passing at 56.43 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1015-2" for the eastern most corner of proposed acquisition tract "RGV-RGC-1015", in total a distance of 421.78 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGVRGC-1016-2" for the most western corner of the herein described proposed acquisition tract;

**THENCE:** S 68°25'38" E, departing the south line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the north line of said Felix Luera Ranch, LTD. (First Tract) tract, over and across said Felix Luera Ranch, LTD. 10.2861 acre tract, a distance of 496.13 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC 1016-3=RGV-RGC-1017-2" for the most eastern corner of the herein described proposed acquisition tract, said point being on the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west

**SCHEDULE C (Cont.)**

line of said Felix Luera Ranch, LTD. 12.5 acre tract, the known and unknown heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al tract;

**THENCE:** S 53°22'21" W, along the east line of said Felix Luera Ranch, LTD. 10.2861 acre tract and the west line of said Felix Luera Ranch, LTD. 12.5 acre tract, the known and unknown heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al tract, passing at 235.32 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-1" for the southwest corner of proposed acquisition tract "RGV-RGC 1017", in total a distance of 271.67 feet to the **POINT OF BEGINNING** and containing 1.315 acres (57,276 square feet) of land, more or less.

## **SCHEDULE C**

### **LEGAL DESCRIPTION**

Starr County, Texas

#### **Tract: RGV-RGC-1018**

**BEING** a 8.937 acre tract (389,314 square feet) parcel of land, more or less, being out of a called 127.71 acre tract, recorded in Document No. 2001-217848, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., said tract lying in and forming a part of Porcion 60, Ancient Jurisdiction of Mier, Mexico, now Starr County, Texas, which tract is set forth and identified as Tract No. 1 in the Homer Trimble d/b/a Cameron Engineering Company, for Cause No. 3058, District Court of Starr County, Texas, said 8.937 acre tract (389,314 square feet) parcel of land being more particularly described as follows;

**BEGINNING** at a point designated “RGV-RGC-1017-4=RGV-RGC-1018-1=RGV-RGC-1040-1”, said point being the southeast corner of a called 49.73 acre tract, recorded in Document No. 1941-17206, Official Records of Starr County (O.R.S.C.), Texas, conveyed to Known and Unknown Heirs of Higinio Rodriguez and the northeast corner of a called 12.5 acre tract, recorded in Volume 909, Page 534, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Felix Luera Ranch, LTD., a called 16.67 acre tract, recorded in Volume 1398, Page 411, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to The Known and Unknown Heirs of Higinio Rodriguez and a called 16.67 acre tract, recorded in Volume 1476, Page 836, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to Argus Resources, Inc., et al, said point being on the west line of said Felix Luera Ranch, LTD. 127.71 acre tract, said point having a coordinate of N=16719064.270, E=776281.511, said point also being S 36°31'26" E, a distance of 2084.63 feet from United States Corps of Engineers Control Point No. S142;

**THENCE:** N 54°58'33" E, along the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Known and Unknown Heirs of Higinio Rodriguez tract, a distance of 185.34 feet to a set 5/8" rebar with a “B&F Engineering, Inc.” aluminum cap stamped “RGV-RGC-1018-2= RGV-RGC-1040- 3” for the northwest corner of the herein described proposed acquisition tract;

**THENCE:** S 68°25'38" E, departing the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Known and Unknown Heirs of Higinio Rodriguez tract and over and across said Felix Luera Ranch, LTD. 127.71 acre tract, passing at 54.69 feet the north line of Easement Tract RGV-RGCR1102, passing at 102.88 feet the south line of Easement Tract RGV-RGC-R1102, in total a distance of 500.00 feet to a set 5/8" rebar with a “B&F Engineering, Inc.” aluminum cap stamped “RGV-RGC-1018-2A” for a point on tangent;

**SCHEDULE C (Cont.)**

**THENCE:** S 68°25'38" E, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2B" for a point on tangent;

**THENCE:** S 68°25'38" E, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-2C" for a point on tangent;

**THENCE:** S 68°25'38" E, over and across said Felix Luera Ranch LTD. 127.71 acre tract, a distance of 355.80 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-3=RGV-RGC-1019-8" for the northeast corner of the herein described proposed acquisition tract, said point being on the east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of a called 89.90 acre tract, recorded in Volume 823, Page 543, Deed Records of Starr County (D.R.S.C.), Texas, conveyed to United States of America (U.S. Fish and Wildlife Service);

**THENCE:** S 07°37'07" W, along the east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of said United States of America (U.S. Fish and Wildlife Service) tract, a distance of 206.08 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4=RGV-RGC-1019-7" for the southeast corner of the herein described proposed acquisition tract;

**THENCE:** N 68°25'38" W, departing east line of said Felix Luera Ranch, LTD. 127.71 acre tract and the west line of said United States of America (U.S. Fish and Wildlife Service) tract and over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 405.49 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4A" for a point on tangent;

**THENCE:** N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4B" for a point on tangent;

**THENCE:** N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4C" for a point on tangent;

**THENCE:** N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, a distance of 500.00 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1018-4D" for a point on tangent;

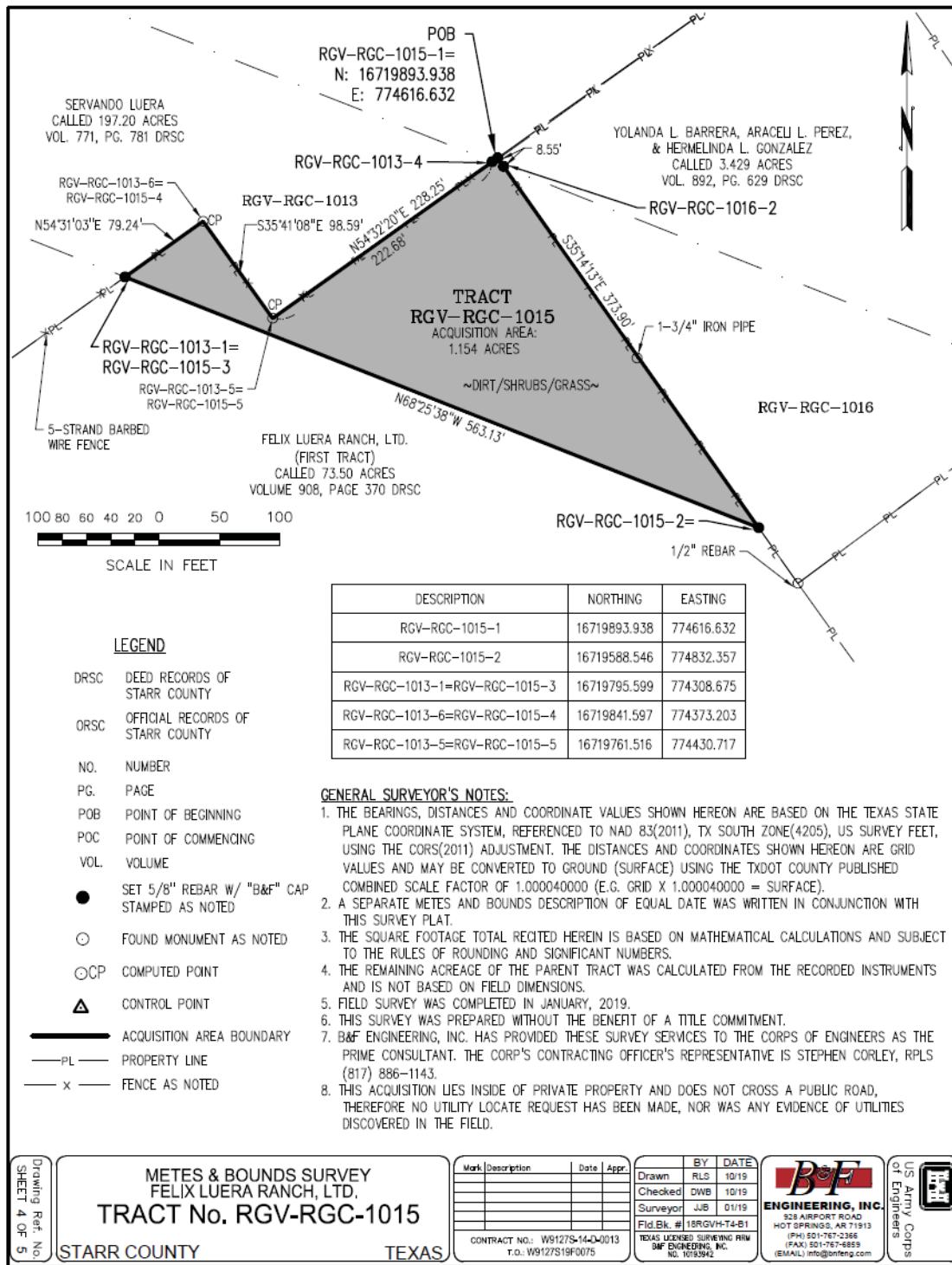
**THENCE:** N 68°25'38" W, over and across said Felix Luera Ranch, LTD. 127.71 acre tract, passing at 31.51 feet the south line of Easement Tract RGV-RGCR1102,

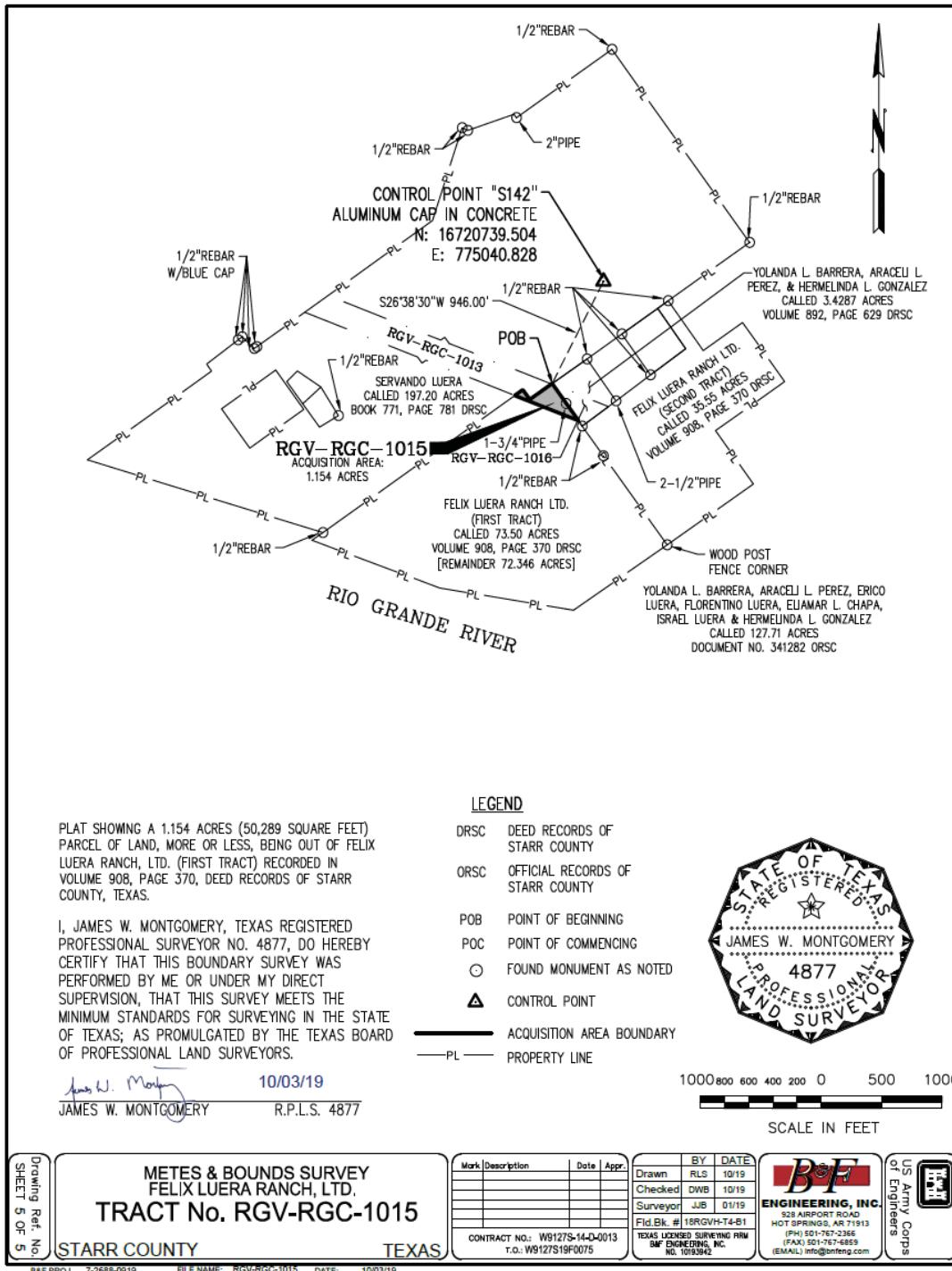
**SCHEDULE C (Cont.)**

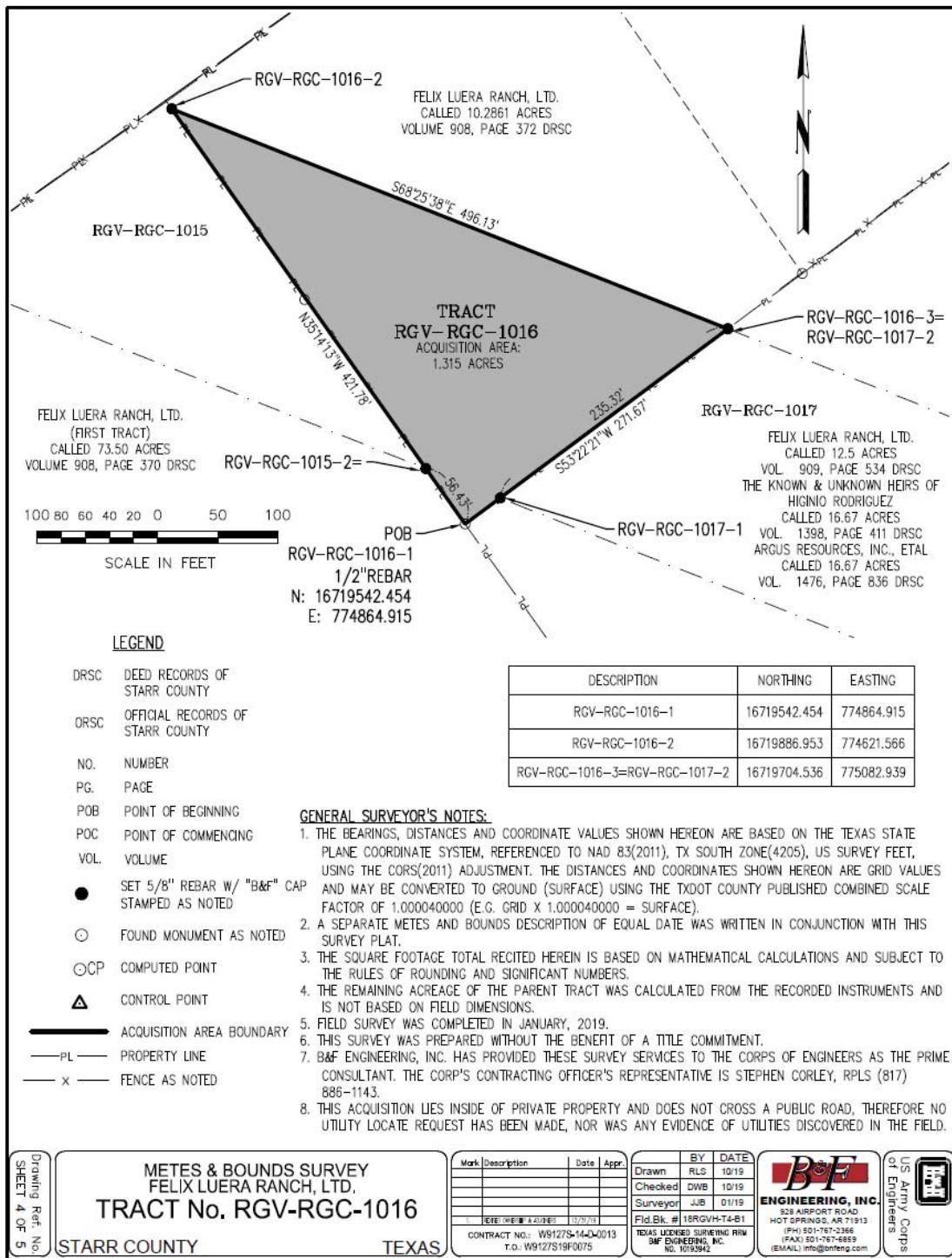
passing at 79.70 feet the north line of Easement Tract RGV-RGC-R1102, in total a distance of 131.69 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-RGC-1017-5=RGV-RGC-1018-5" for the southwest corner of the herein described proposed acquisition tract, said point being on the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Felix Luera Ranch, LTD. 12.5 acre tract, The Known and Unknown Heirs of Higinio Rodriguez tract and the Argus Resources, Inc., et al tract;

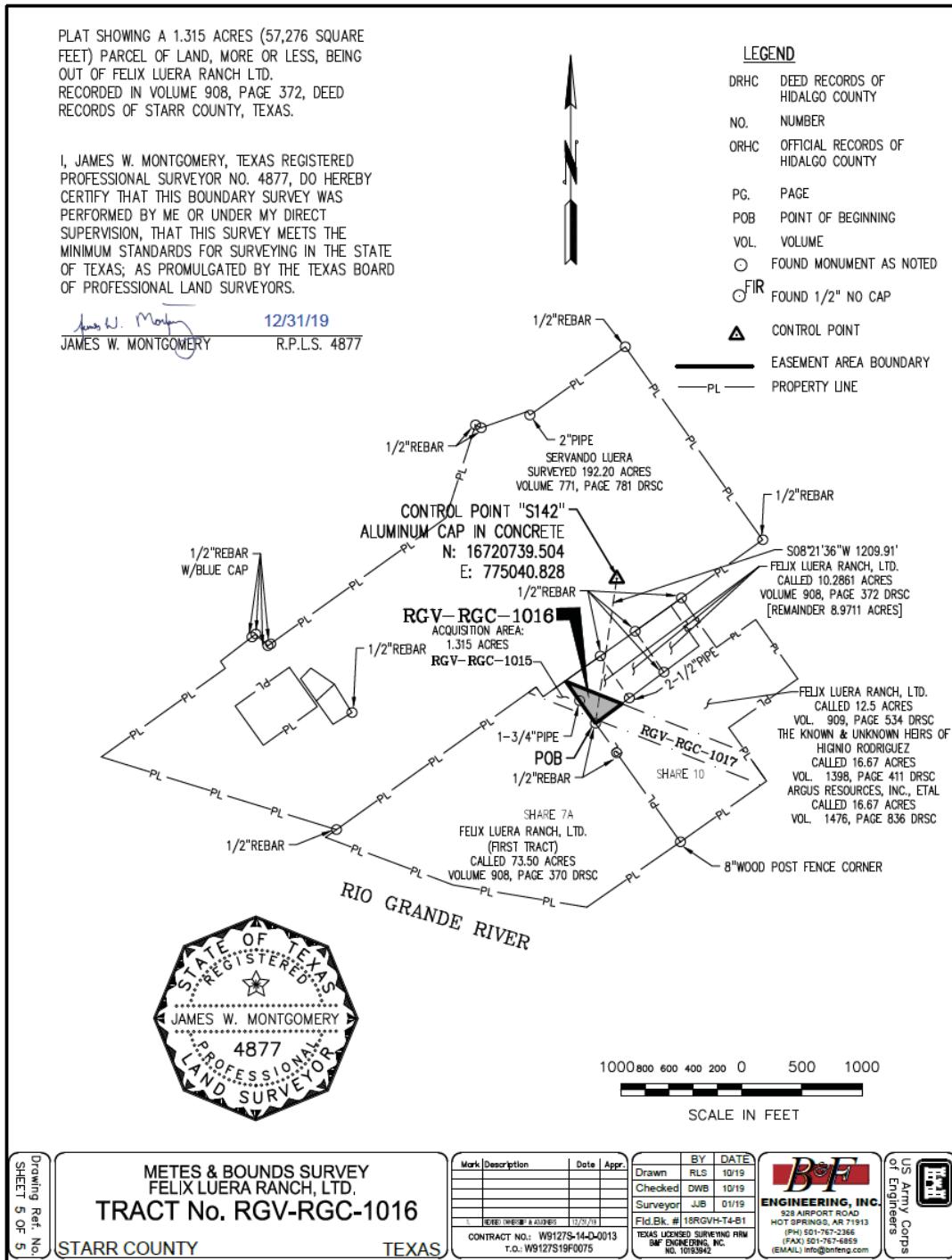
**THENCE:** N 54°48'00" E, along the west line of said Felix Luera Ranch, LTD. 127.71 acre tract and the east line of said Felix Luera Ranch, LTD. 12.5 acre tract, The Known and Unknown Heirs of Higinio Rodriguez 16.67 acre tract and the Argus Resources, Inc., et al 16.67 acre tract, a distance of 54.13 feet to the **POINT OF BEGINNING** and containing 8.937 acre tract (389,314 square feet) of land, more or less.

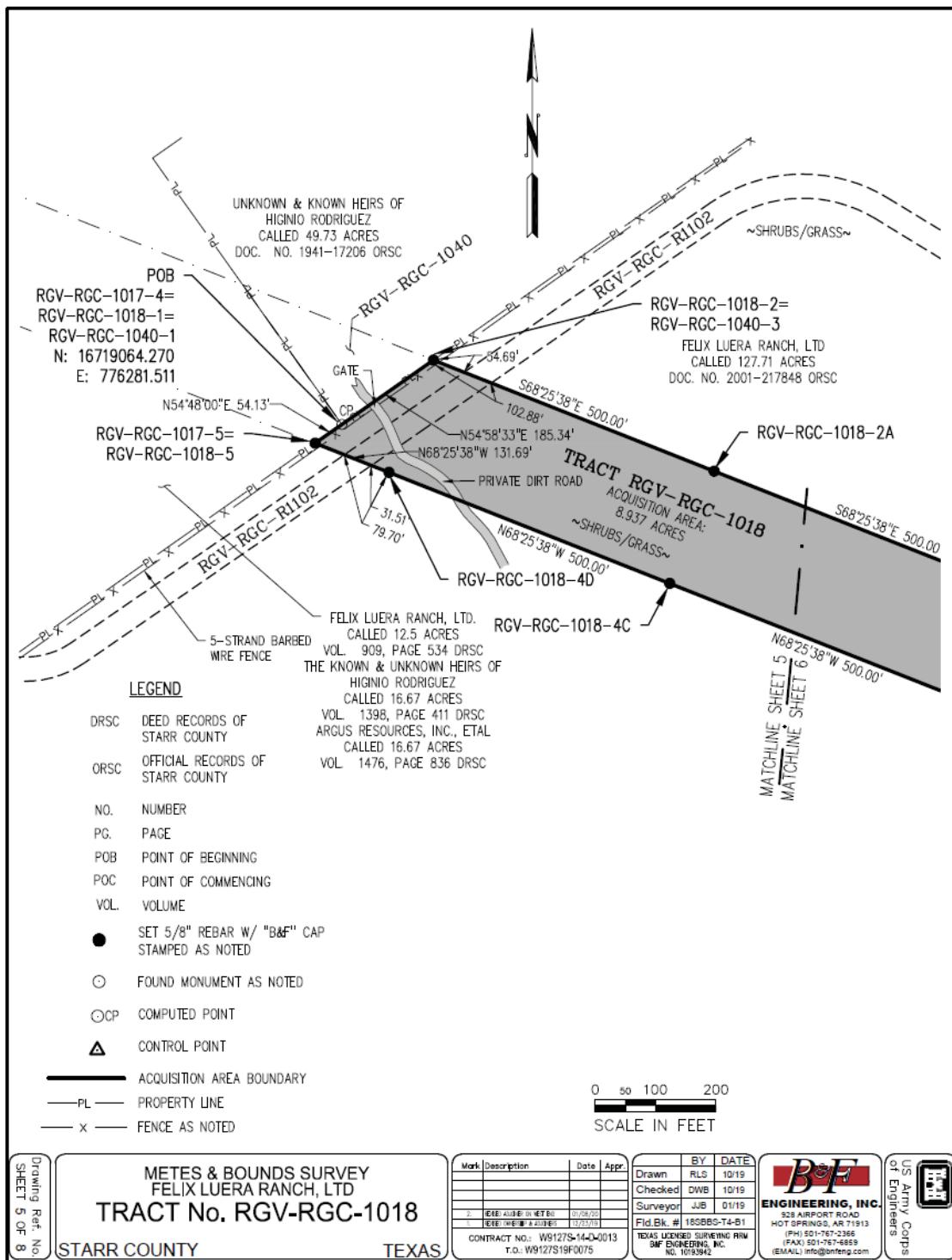
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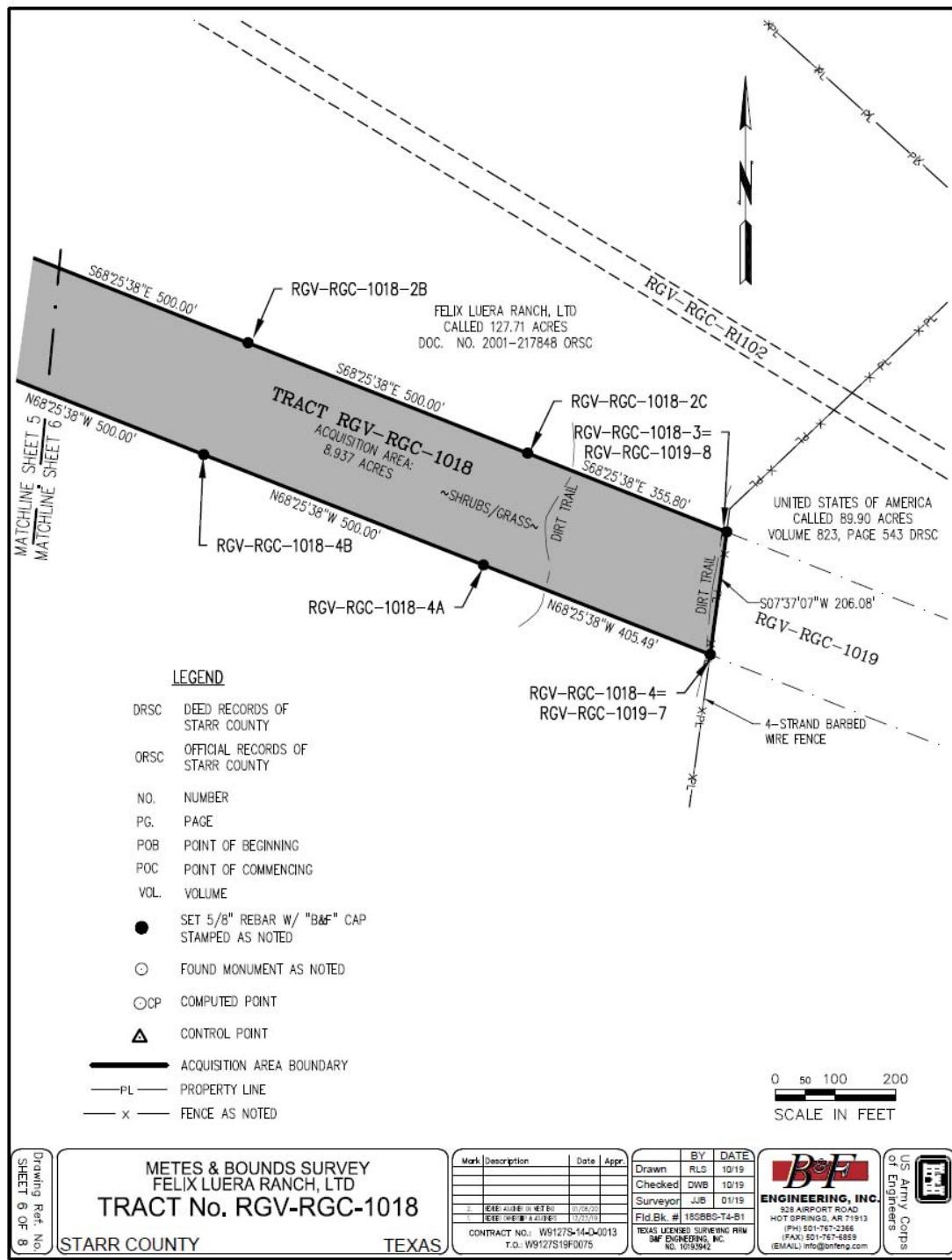
**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

**SCHEDULE D (Cont.)**

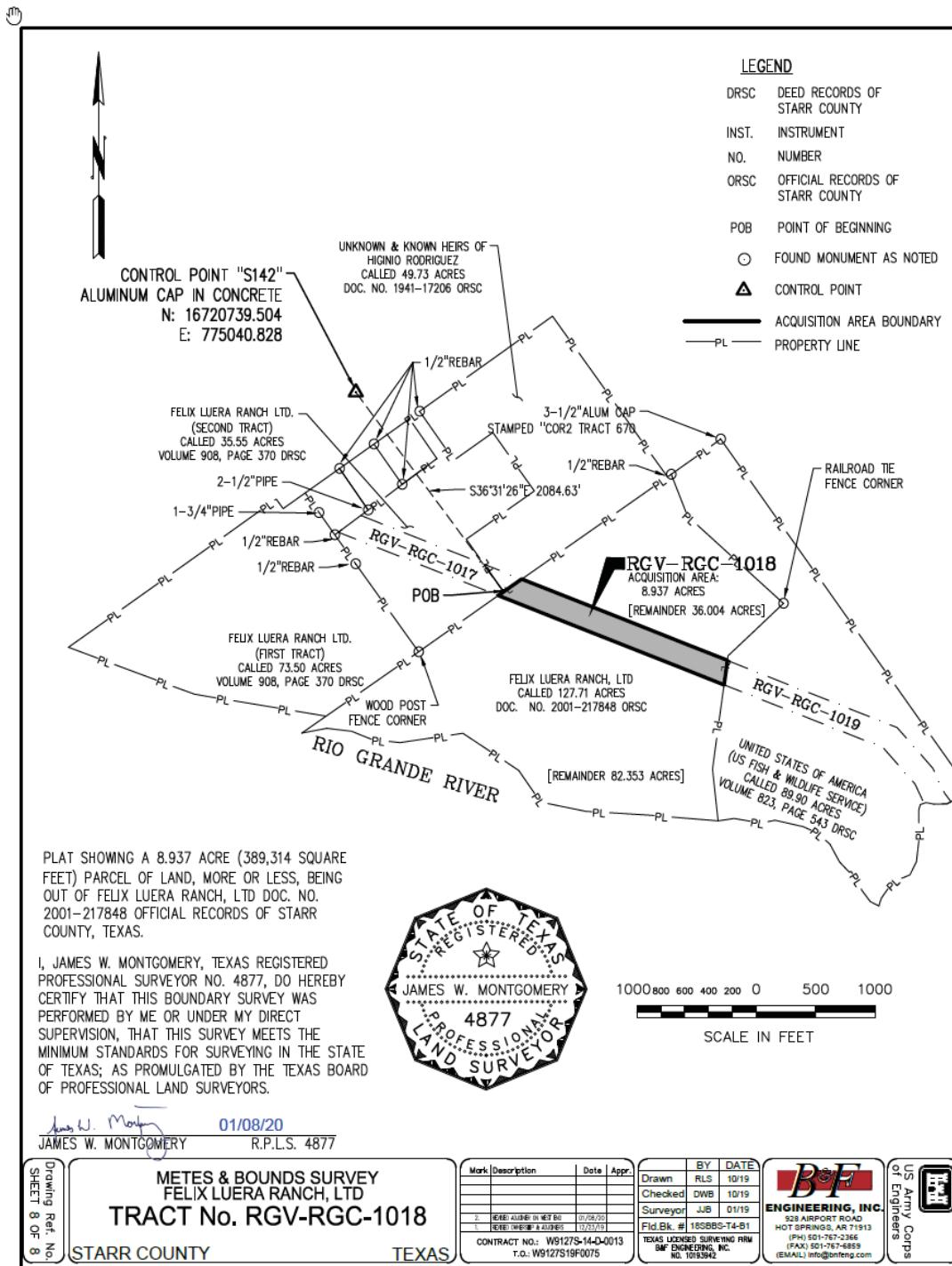
DESCRIPTION	NORTHING	EASTING
RGV-RGC-1017-4=RGV-RCC-1018-1	16719064.271	776281.511
RGV-RCC-1018-2=RGV-RCC-1040-3	16719170.639	776433.284
RGV-RGC-1018-2A	16718986.798	776898.259
RGV-RGC-1018-2B	16718802.956	777363.235
RGV-RGC-1018-2C	16718619.115	777828.211
RGV-RGC-1018-3=RGV-RGC-1019-8	16718488.294	778159.086
RGV-RCC-1018-4=RGV-RCC-1019-7	16718284.031	778131.765
RGV-RGC-1018-4A	16718433.125	777754.674
RGV-RGC-1018-4B	16718616.966	777289.698
RGV-RGC-1018-4C	16718800.808	776824.723
RGV-RGC-1018-4D	16718984.649	776359.747
RGV-RGC-1017-5=RGV-RGC-1018-5	16719033.070	776237.280

**GENERAL SURVEYOR'S NOTES:**

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY WAS COMPLETED IN JANUARY, 2019.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. THIS ACQUISITION LIES INSIDE OF PRIVATE PROPERTY AND DOES NOT CROSS A PUBLIC ROAD, THEREFORE NO UTILITY LOCATE REQUEST HAS BEEN MADE, NOR WAS ANY EVIDENCE OF UTILITIES DISCOVERED IN THE FIELD.

Drawing Ref. No.	METES & BOUNDS SURVEY FELIX LUERA RANCH, LTD			Mark	Description	Date	Appr.	BY	DATE
SHEET 7 OF 8	TRACT No. RGV-RGC-1018							Drawn	RLS
	STARR COUNTY TEXAS							Checked	DWB
								Surveyor	JJB
								Fld Bk. #	1805BCS-T4-B1
					CONTRACT NO.: W9127S-14-D-0013 T.O.: W9127S19F0075			TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10193942	
								 <b>B&amp;F</b> <b>ENGINEERING, INC.</b> 928 AIRPORT DR., SUITE 10 HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-6859 (EMAIL) info@bfteng.com	
								 U.S. Army Corps of Engineers	

B&F PROJ. 7-2688-0918 FILE NAME: RGV-RGC-1018 DATE: 1/08/20

**SCHEDULE D (Cont.)**

Tract: RGV-RGC-1015, RGV-RGC-1016, and RGV-RGC-1018

Owner: Felix Luera Ranch, LTD., et al.

Acreage: 11.406

# **SCHEDULE E**

**SCHEDULE E**

**ESTATE TAKEN**

Starr County, Texas

**Tract:** RGV-RGC-1015

**Owner:** Felix Luera Ranch, LTD., *et al.*

**Acres:** 1.154

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in conveyance recorded with Deed Records, Starr County, Texas, on 10 September 2001, volume 908, page 370, document number 2001-217846, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

**Tract:** RGV-RGC-1016

**Owner:** Felix Luera Ranch, LTD., *et al.*

**Acres:** 1.315

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in conveyance recorded with Deed Records, Starr County, Texas, on 10 September 2001, volume 908, page 370, document number 2001-217846, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or

**SCHEDULE E (Cont.)**

systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

**Tract:** RGV-RGC-1018

**Owner:** Felix Luera Ranch, LTD., *et al.*

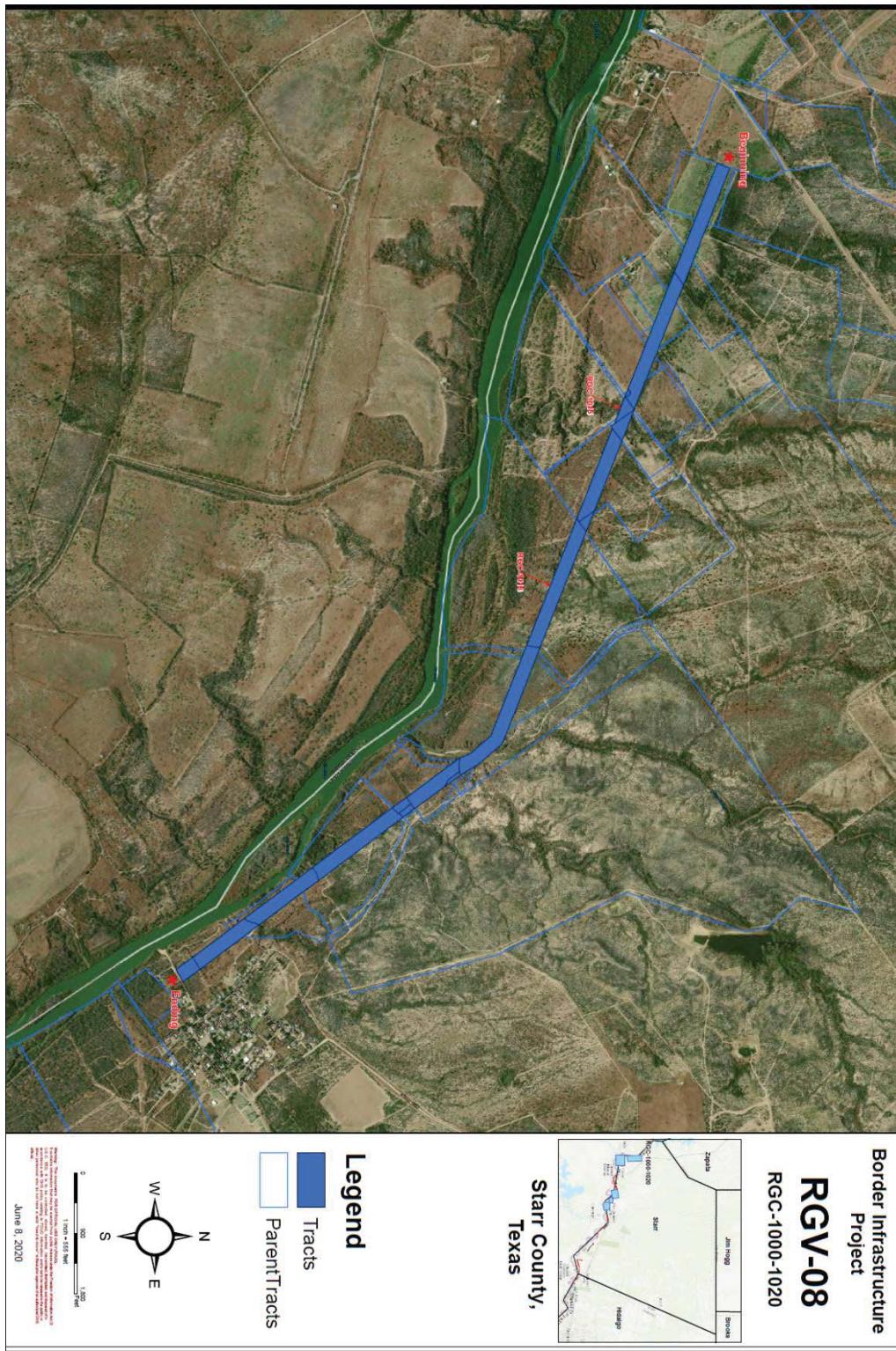
**Acres:** 8.937

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in conveyance recorded on 10 September 2001 at Official Records of Starr County, Book 908, Page 375, Document No. 2001-217848, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

**SCHEDULE E (Cont.)**



# **SCHEDULE**

# **F**

**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the lands being taken is FIFTY FIVE THOUSAND NINE HUNDRED NINETY FIVE DOLLARS AND NO/100 (\$55,995.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# **SCHEDULE**

# **G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See Fed. R. Civ. P. 71.1(c).*

Interested Party	Reference
<b>Felix Luera Ranch, Ltd.</b> <b>c/o Sigifredo Barrera</b>	<b>RGV-RGC-1015</b> <b>RGV-RGC-1016</b>
<b>Registered Agent of Felix Luera Ranch, Ltd.</b> [REDACTED]	<b>RGV-RGC-1018</b>
<b>Laredo, Texas</b> [REDACTED]	Warranty Deed; Document #2001-217846, Recorded September 10, 2001, Deed Records Starr County
	Amended Warranty Deed; Document #2001-218318, Recorded September 24, 2001, Deed Records Starr County
	Warranty Deed; Document #2001-217848, Recorded September 10, 2001, Deed Records Starr County
	Deed of Gift, Document#2001-214732 Recorded: March 27, 2001 Deed Records Starr County
	First Amendment to Certificate of Limited Partnership of Felix Luera Ranch, Ltd., Certificate of Filing; Document #2005-247640, Recorded June 28, 2005 Deed Records Starr County
<b>Unknown Heirs of Blas Farias</b> <b>Address Unknown</b>	<b>RGV-RGC-1018</b> Deed, Volume 34, Page 80 Recorded 30 January 1911 Deed Records Starr County

<b>Unknown Heirs of Librado Rodriguez</b> Address Unknown	<p><b>RGV-RGC-1016</b> Decree of Partition, Document #1934-1674; Recorded February 5, 1934 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Warranty Deed, Volume 51, Page 623 Recorded 26 August 1925 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Affidavit of Heirship, Document # 1983-134198; Recorded July 23, 1986 Deed Records Starr County</p>
<b>Unknown Heirs of Higinio Rodriguez</b> Address Unknown	<p><b>RGV-RGC-1016</b> Decree of Partition, Document #1934-1674; Recorded February 5, 1934 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Warranty Deed, Volume 51, Page 623 Recorded 26 August 1925 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Affidavit of Heirship, Document # 1983-134198; Recorded July 23, 1986 Deed Records Starr County</p>
<b>Unknown Heirs of Valeriano Rodriguez a/k/a Baleriado Rodriquez</b> Address Unknown	<p><b>RGV-RGC-1016</b> Decree of Partition, Document #1934-1674; Recorded February 5, 1934 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Deed of Gift, Document # 1936-5562; Recorded 4 June 1936 Deed Records Starr County</p> <p><b>RGV-RGC-1018</b> Affidavit of Heirship, Document # 1983-134198; Recorded July 23, 1986 Deed Records Starr County</p>
<b>Unknown Heirs of Celsa Rodriguez</b> Address Unknown	<p><b>RGV-RGC-1016</b></p> <p><b>RGV-RGC-1018</b></p> <p>Warranty Deed, Volume 90, Page 472</p>

	Recorded 26 August 1925 Deed Records Starr County  <b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Affidavit of Heirship, Document # 1983-134198; Recorded July 23, 1986 Deed Records Starr County
<b>Unknown Heirs of Amalia Luera Garcia</b> <b>Address Unknown</b>	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664, Recorded 10 January 1981; County Court of Starr County
<b>Delia Luera Ramirez</b> [REDACTED] <b>Falcon Heights, TX</b> [REDACTED]	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664, Recorded 10 January 1981; County Court of Starr County
<b>Federico Luera Gonzalez</b> [REDACTED] <b>Falcon Heights, TX</b> [REDACTED]	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664 Recorded 10 January 1981; County Court of Starr County
<b>Belsa Luera Villarreal</b> [REDACTED] <b>Stafford, TX</b> [REDACTED]	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664 Recorded 10 January 1981 County Court of Starr County
<b>Ercilia Luera Benavides</b> [REDACTED] <b>Falcon Heights, TX</b> [REDACTED]	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664 Recorded: 10 January 1981 County Court of Starr County
<b>Servando Luera Gonzalez</b> [REDACTED] <b>Falcon Heights, TX</b> [REDACTED]	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664 Recorded: 10 January 1981 County Court of Starr County
<b>Unknown Heirs of Saul Luera</b> <b>Address Unknown</b>	<b>RGV-RGC-1015</b> <b>RGV-RGC-1018</b> Franco Luera Probate No. 1664 Recorded 10 January 1981 County Court of Starr County, Texas
<b>Unknown Heirs of Geronimo Hinojosa</b>	<b>RGV-RGC-1015</b> Decree of Partition, Cause No. 1674 Recorded February 5, 1934

	<p>Deed Records Starr County</p> <p><b>RGV-RGC-1015</b> Power of Attorney, Document #1938-10663, Recorded July 19, 1938 Deed Records Starr County</p> <p><b>RGV-RGC-1015</b> Warranty Deed; Document #1941-17181; Recorded November 7, 1941 Deed Records Starr County</p>
<b>Argus Resources, Inc.</b> 2500 City West Boulevard Suite 1200 Houston, Texas	<p><b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200254 Recorded: December 7, 1998 Deed Records Starr County</p> <p><b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200255 Recorded: December 7, 1998 Deed Records Starr County</p> <p><b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200256 Recorded: December 7, 1998 Deed Records Starr County</p>
<b>E.O. Scott, III</b> [REDACTED] San Antonio, Texas [REDACTED]	<p><b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200254 Recorded: December 7, 1998 Deed Records Starr County</p> <p><b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200255 Recorded: December 7, 1998 Deed Records Starr County</p>

	<b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Quit Claim Deed, Document #1998-200256 Recorded: December 7, 1998 Deed Records Starr County
<b>Unknown Heirs of Inez P. Luera</b> <b>Address Unknown</b>	<b>RGV-RGC-1015</b> <b>RGV-RGC-1016</b> <b>RGV-RGC-1018</b> Warranty Deed, Document #2001-217848; Recorded September 10, 2001 Deed Records Starr County  Amended Warranty Deed; Document #2001-218318, Recorded September 24, 2001, Deed Records Starr County
<b>Unknown Heirs of Matilda Rodriguez</b> <b>Luera</b> <b>Address Unknown</b>	<b>RGV-RGC-1018</b> Affidavit, Document# 1986-134198 Recorded: July, 23 1986 Deed Records Starr County
<b>Unknown Heirs of Manuela G. Luera</b> <b>Address Unknown</b>	<b>RGV-RGC-1018</b> Affidavit, Document# 1986-134198 Recorded: July 23, 1986 Deed Records Starr County
<b>Unknown Heirs of Herminia Luera</b> <b>Guerra</b>	<b>RGV-RGC-1018</b> Affidavit of Heirship Volume 537, Page 159 Official Records of Starr County, Texas
<b>Ameida Salinas</b> <b>Starr County Tax Assessor &amp; Collector</b> <b>100 N FM 3167, Room 201</b> <b>Rio Grande City, Texas 78582</b>	<b>RGV-RGC-1015</b> Tax Acct. No. 0022785  <b>RGV-RGC-1016</b> Tax Acct. No. 0077902  <b>RGV-RGC-1018</b> Tax Acct. No. 0022785

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

United States of America

**(b) County of Residence of First Listed Plaintiff** \_\_\_\_\_  
*(EXCEPT IN U.S. PLAINTIFF CASES)*

**(c) Attorneys (Firm Name, Address, and Telephone Number)**

AUSA Baltazar Salazar, U.S. Attorney's Office, 600 E. Harrison Street,  
 Suite 201, Brownsville, Texas 78520, (956) 983-6057

**DEFENDANTS**

11.406 Acres of Land, More or Less, Situate in Starr County, State of Texas, Felix Luera Ranch, Ltd., et al.,

County of Residence of First Listed Defendant **Starr**  
*(IN U.S. PLAINTIFF CASES ONLY)*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (*If Known*)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question<br><i>(U.S. Government Not a Party)</i>          |
| <input type="checkbox"/> 2 U.S. Government Defendant            | <input type="checkbox"/> 4 Diversity<br><i>(Indicate Citizenship of Parties in Item III)</i> |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
*(For Diversity Cases Only)*

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<b>PERSONAL PROPERTY</b>		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 820 Copyrights	
<input type="checkbox"/> 196 Franchise			<input type="checkbox"/> 830 Patent	
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>HABEAS CORPUS:</b>	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application
<input checked="" type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 840 Freedom of Information Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 846 Arbitration
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 849 Administrative Procedure
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<b>OTHER:</b>		<input type="checkbox"/> 859 Other Statutory Actions
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 861 Agricultural Acts
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 863 Environmental Matters
		<input type="checkbox"/> 555 Prison Condition		<input type="checkbox"/> 865 RSI (405(g))
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

**V. ORIGIN** (Place an "X" in One Box Only)

- |   |   |  |   |  |  |   |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):

40 U.S.C. 3113 and 3114

**VI. CAUSE OF ACTION**

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate and maintain border security.

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.

**DEMAND \$**

CHECK YES only if demanded in complaint:

**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S)**

IF ANY

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

11/05/2020

s/Baltazar Salazar

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
  
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
  
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
  
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
  
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
  
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
  
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
  
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.